

Plaintiff, the United States Securities and Exchange Commission (“SEC”), in accordance with Rule 55(a) of the Federal Rules of Civil Procedure, respectfully requests that a Clerk’s Entry of Default be entered against defendant POHIH, Inc. (“POHIH”) for failure to plead or otherwise defend against the SEC’s Complaint. In support of this request, undersigned counsel for the SEC states as follows:

1. Rule 55(a) of the Federal Rules of Civil Procedure provides that a party's default should be entered by the Clerk of the Court where a judgment for affirmative relief is sought against a party that has failed to plead or otherwise defend.
2. The SEC filed its Complaint against the defendants, including POHIH, on September 1, 2022.
3. POHIH, through its counsel/registered agent, executed a Waiver of Service of Summons, pursuant to Rule 4(d) of the Federal Rules of Civil Procedure, which was filed with the Court on November 9, 2022. (ECF No. 10) In that Waiver, POHIH acknowledged that a

default judgment would be entered against POHIH if it failed to serve an answer or motion under Rule 12 of the Federal Rules of Civil Procedure within 60 days from September 16, 2022 (the date the SEC sent the Waiver to POHIH). Thus, POHIH was required to answer or otherwise respond to the Complaint by November 15, 2022.

4. On November 14, 2022, the SEC stipulated to a 14-day extension of POHIH's answer deadline. (ECF No. 14) On November 15, 2022, the Court ordered that POHIH's answer deadline was extended until **November 29, 2022**.

5. To date, POHIH has failed to answer or otherwise defend against the Complaint in accordance with Rule 12 of the Federal Rules of Civil Procedure.

6. POHIH is an entity, and not an infant, incompetent person, or member of the military service.

7. This statement is true and signed under the penalty of perjury.

WHEREFORE, for the reasons cited above, the SEC respectfully requests that a Clerk's Entry of Default be entered against defendant POHIH.

Dated: December 19, 2023

Respectfully submitted,

s/ Michael D. Foster

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**CERTIFICATE OF SERVICE**

I hereby certify that on December 19, 2023, I electronically filed the foregoing Request for Clerk's Entry of Default with the Clerk of the Court for the Northern District of Ohio, Eastern Division, by using the CM/ECF system which will send a notice of electronic filing to all CM/ECF participants of record. In addition, I sent the foregoing document by mail and/or overnight delivery on this 19th day of December 2023, to the following:

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c/o  
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s/ Michael D. Foster